

CM No.25044-CII of 2018 in/and
CR No.5346 of 2018 (O&M)

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

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CM No.25044-CII of 2018 in/and
CR No.5346 of 2018 (O&M)
Date of decision:4.12.2018

Jitender and others

... Petitioners

versus

Dharam Chand

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Sanjay Verma, Advocate,
for the petitioners

...

AMOL RATTAN SINGH, J. (Oral)

CM No.25044-CII of 2018

Learned counsel for the applicants-petitioners submits that in fact the impugned order being an appealable order in terms of Order 43 Rule 1(d) of the Code of Civil Procedure, 1908, he may be permitted to withdraw the accompanying petition itself, if this Court is inclined to otherwise allow this application for restoration.

In view of the above, this application is allowed, with the order dated 14.11.2018 dismissing the accompanying petition in default recalled and the petition is ordered to be restored to its original number of status.

CR No.5346 of 2018 (O&M)

In the light of the aforesaid submissions made by learned counsel for the petitioners, this petition is dismissed as withdrawn, with liberty to the petitioners to avail of their remedy of appeal.

Naturally, if any application under Sections 5 & 14 of the

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Limitation Act, 1963, is filed before the learned appellate Court, that would

be considered on its own merits.

4.12.2018
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No